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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**  
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11 STANISLAV VLADIMIROVICH  
12 AGAPOV,

13 Plaintiff,

14 vs.

15 PAUL M. PIERRE, District Director, San  
16 Diego U.S. Citizenship and Immigration  
Services Field Office, et al.,

Defendant.

CASE NO. 08-CV-379 H (WMC)

**ORDER SUBMITTING  
DEFENDANTS' MOTION TO  
DISMISS**

17 On February 28, 2008, Plaintiff filed a complaint for mandamus relief against  
18 defendants Paul Pierre, District Director, U.S. Citizenship and Immigration Services; Michael  
19 Chertoff, U.S. Secretary of Homeland Security; and Michael Mukasey, U.S. Attorney General.  
20 (Doc. No. 1.) On May 5, 2008, Defendants filed a motion to dismiss Plaintiff's complaint.  
21 (Doc. No. 4.) Plaintiff has not filed a response in opposition.

22 The Court exercises its discretion pursuant to Civil Local Rule 7.1(d)(1) to decide this  
23 matter without oral argument, and therefore submits Defendants' motion to dismiss. If  
24 Plaintiff wishes to file a response in opposition, Plaintiff shall do so by June 18, 2008.

25 IT IS SO ORDERED.

26 DATED: June 4, 2008

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28 MARILYN L. HUFF, District Judge  
UNITED STATES DISTRICT COURT